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DE RUEHSB #0533/01 1661101
ZNR UUUUU ZZH
P 151101Z JUN 07
FM AMEMBASSY HARARE
TO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY 1602
INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
RUEHUJA/AMEMBASSY ABUJA 1630
RUEHAR/AMEMBASSY ACCRA 1497
RUEHDS/AMEMBASSY ADDIS ABABA 1634
RUEHBY/AMEMBASSY CANBERRA 0900
RUEHDK/AMEMBASSY DAKAR 1262
RUEHKM/AMEMBASSY KAMPALA 1690
RUEHNR/AMEMBASSY NAIROBI 4102
RUEHFR/AMEMBASSY PARIS 1459
RUEHRO/AMEMBASSY ROME 2120
RUEHBS/USEU BRUSSELS
RUEHGV/USMISSION GENEVA 0759
RHEHAAA/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 1851
RHMFISS/JOINT STAFF WASHDC
RUEHC/DEPT OF LABOR WASHDC
RUEATRS/DEPT OF TREASURY WASHDC
RHEFDIA/DIA WASHDC//DHO-7//
RUCPDO/DEPT OF COMMERCE WASHDC
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK//DOOC/ECMO/CC/DAO/DOB/DOI//
RUEPGBA/CDR USEUCOM INTEL VAIHINGEN GE//ECJ23-CH/ECJ5M//

UNCLAS SECTION 01 OF 02 HARARE 000533

SIPDIS

SENSITIVE
SIPDIS

AF/S FOR S. HILL
NSC FOR SENIOR AFRICA DIRECTOR B. PITTMAN
STATE PASS TO USAID FOR L.DOBBS AND E.LOKEN
TREASURY FOR J. RALYEA AND T.RAND
COMMERCE FOR BECKY ERKUL
ADDIS ABABA FOR USAU
ADDIS ABABA FOR ACSS

E.O. 12958: N/A
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [ASEC](#) [ZI](#)
SUBJECT: STATE CASE IN PETROL BOMB ATTACKS CONTINUES TO
CRUMBLE

REF: HARARE 241

Summary

1. (SBU) The GOZ's case against 32 MDC activists accused of carrying out March 13 petrol bomb attacks continued to crumble last week as the state withdrew the charges against thirteen of the accused. MDC Election Coordinator Ian Makone, along with six others, was released on June 7 after spending more than 60 days behind bars. Twenty further activists accused in the case remain in state custody. According to the defense, the arrestees were beaten in custody and denied medical attention. End Summary

Court Frees Makone and Six Others

2. (SBU) On June 7, lower court Magistrate Gloria Takundwa ordered the release of Makone, Luke Tamborinyika and 11 other MDC activists who had been accused of carrying out petrol bomb attacks in Harare, Gweru, Mutare and Chitungwiza on March 13 (reftel). Magistrate Takundwa found that the GOZ had failed to provide sufficient evidence to sustain the charges. Of the thirteen, seven were immediately released. The other six face additional charges and remain in

detention. Among them is MDC MP for Glen View Paul Madzore, accused of receiving & training as a bandit, saboteur, terrorist or insurgent⁸ in South Africa. Lawyers for these six and 14 other remaining detainees have filed several court applications for their release. (Five other detainees had already been released quietly in past weeks.) Judgments on these applications are expected on June 18, 2007.

Physical Well-Being) Ongoing Concern

13. (SBU) Lawyers for the accused told pol assistant that all of the detainees had been beaten by state agents while in custody. All had subsequently requested medical attention, but only MDC deputy national organizing secretary Morgan Komichi was provided treatment; he was admitted to a private hospital where he is still being held under close prison guard.

Comment

14. (SBU) The GOZ,s "fishing expedition" is beginning to work against it. The failure to present incriminating evidence indicates that the Government never had a case to begin with. It also lends credence to the defense's contention that the state itself carried out the attacks and then used them as a cover to harass and intimidate key opposition officials. There is some uncertainty about the exact number of detainees

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and charges, as the case has been shrouded in confusion and uncertainty from the start. Nevertheless, local human rights attorneys are fairly confident that it will collapse in the Government's face.
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